

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

MARK A. BARRY, MD,

Plaintiff,

v.

MEDTRONIC, INC.,

Defendant.

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Civil Action No. 1:14-104-RC

Judge Ron Clark

DEFENDANT MEDTRONIC, INC.'S NOTICE OF APPEAL

NOTICE IS GIVEN that Defendant Medtronic, Inc. appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in this action on May 16, 2017 (Dkt. 452) and from any and all orders, rulings, findings, and conclusions underlying and related to that judgment, including but not limited to the July 21, 2017 Order denying Medtronic's renewed motion for judgment as a matter of law and motion for new trial and/or remittitur (Dkt. 479), the Order on post-trial accounting and escrow account (Dkt. 451), the Order on enhanced damages and attorney's fees (Dkt. 444), the Court's findings and conclusions regarding inequitable conduct (Dkt. 443), the Order regarding Defendant's post-trial motions for judgment as a matter of law (Dkt. 442), the Jury Verdict (Dkt. 411), the Final Jury Instructions (Dkt. 414), the Court's evidentiary rulings during trial, the Court's pre-trial evidentiary rulings (Dkt. 379, Dkt. 378, Dkt. 294, Dkt. 293, Dkt. 292, Dkt. 291), the Order construing claim terms (Dkt. 122), and the Court's summary judgment orders (Dkt. 158, Dkt. 66, Dkt. 65).

DATED: August 18, 2017

Respectfully submitted,

By: /s/ Mary-Olga Lovett

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a) on August 18, 2017.

/s/ Mary-Olga Lovett
Mary-Olga Lovett